

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AHMED ALI MUTHANA,

Plaintiff/Petitioner,

vs.

MICHAEL POMPEO, *et al.*,

Defendants/Respondents.

Civil Action No. 1:19-cv-00445-RBW

REQUEST TO APPEAR TELEPHONICALLY

Prospective *amicus curiae* Center for Constitutional Jurisprudence hereby respectfully requests that this Court grant leave for John Eastman, one of its attorneys, to appear telephonically at the expedited hearing scheduled for 11:00 a.m. on Monday, March 4, 2019, and as grounds therefor would show:

1. On Tuesday, February 26, 2019, this Court granted Plaintiff's motion for expedited hearing, and set the hearing for 11:00 a.m. on Monday, March 4, 2019.
2. In its General Order issued that same day, the Court noted that "counsel will be permitted to appear telephonically if they demonstrate good cause for such an appearance in advance of the scheduled hearing. Should the Court grant counsel permission to appear telephonically, they must provide the Courtroom Deputy Clerk with their contact information."
3. Dr. Eastman, currently residing in Santa Fe, New Mexico, has a previously scheduled commitment in California on Monday, March 4, 2019, and is in California currently.

4. Dr. Eastman (motion for admission *pro hac vice* pending) is therefore unable to attend the hearing on March 4, 2019 in person.
5. On March 1, 2019, the Center for Constitutional Jurisprudence filed a motion for leave to file an *amicus curiae* brief in this matter, raising potentially dispositive issues that Plaintiff has not addressed.
6. Although the Center's local counsel will be attending the hearing, Dr. Eastman, as principal author of the brief, may be better able to respond to any questions about the arguments in the brief that the Court may have.
7. An appearance telephonically would not prejudice either party.
8. Counsel for Plaintiff has advised counsel for the Center that they take no position on this request. The Center attempted to contact counsel for Defendants over the weekend to determine whether they would consent to this request, but as yet has not received a response. Time permitting, counsel for the Center will update the Court once a response is received.

WHEREFORE, prospective *amicus curiae* Center for Constitutional Jurisprudence respectfully requests that this Court allow leave for the Center's counsel, Dr. John Eastman, to appear telephonically at the expedited hearing on March 4, 2019.

Dated: March 3, 2019

Respectfully Submitted,

/s/ *Julie Axelrod*

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